BILL NO. Z-74-05-45

ZONING ORDINANCE NO. Z-Last

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC4

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. CC4 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots # 11, 12, & 13 in Park's Addition - Section 15, Township 30 North, Range 12 East, described in a deed to Volney Parks recorded in Deed Record 66, pages 427 and 428 in Allen County, Indiana, according to the plat thereof recorded in Deed Record 67, pages 372 & 373 in the Office of the Recorder, Allen County, Indiana. Located on the northeast corner of Whitmore Street and Westview Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Stuckwell
Councilman

APPROVED AS TO FORM
AND LEGALITY
CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, ~~at the Council Chambers, City-County Building, Fort Wayne, Indiana, on~~ _____, the _____ day of _____, 197_____, at _____ o'~~clock P.M., E.S.T.~~

Date: 5/28/74

CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. ~~Passed~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	to-wit:
	0	8		1	
BURNS		✓			
HINGA		✓			
KRAUS				A	
MOSES		✓			
NUCKOLS		✓			
SCHMIDT, D.		✓			
SCHMIDT, V.		✓			
STIER		✓			
TALARICO		✓			

DATE: 6/10/74

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No._____ on the _____ day of _____, 197___.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197_____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 28, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-05-45; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 15, 1974;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 19, 1974.

Certified and signed this
21st day of August, 1974.

Thomas J. Offerle
Secretary

Bill No. Z-74-05-45

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

have had said Ordinance under consideration ~~and beg~~ leave to report back to the Common Council that said Ordinance DO NOT PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

CONCURRED IN

DATE 9-10-74 CHARLES W. WESTERMAN, CITY CLERK

Bill No. Z-74-05-45

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. CC4.

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance _____ PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

No. 279

GENERAL FUND

FT. WAYNE, IND., May 13 19 74

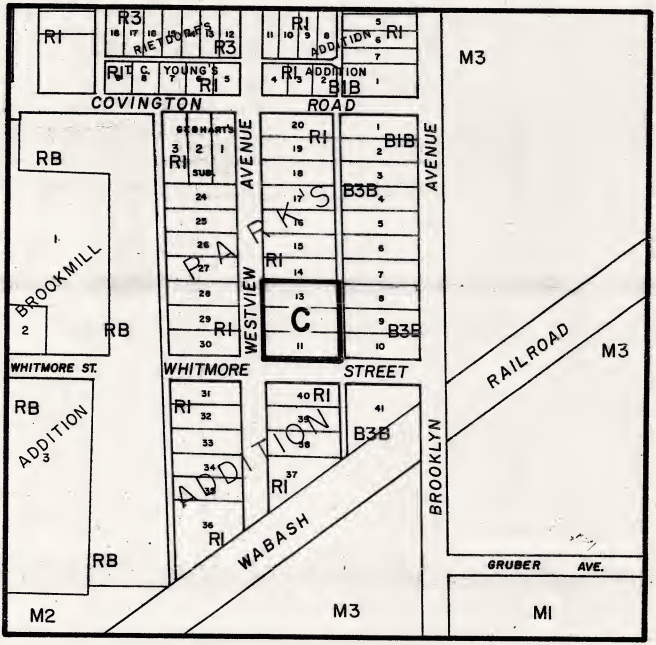
RECEIVED FROM T.T.C Sales & Leasing $ 50 00

THE SUM OF fifty 100 DOLLARS

ON ACCOUNT OF Lots 11, 12 & 13 Parks Addn rezoning

Becky Escalado

AUTHORIZED SIGNATURE



C CHANGE FROM R1 TO B3B

N

Z-7405-45

DATE 5-13-74

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We T. T. C. Sales & Leasing, Inc.,
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an F1 district to a/an B3B district the property described as follows:

Lots # 11, 12, & 13 in Park's Addition - Section 15, Township 30 North, Range 12 East, described in a deed to Volney Parks recorded in Deed Record 66, pages 427 and 428 in Allen County, Indiana, according to the plat thereof recorded in Deed Record 67, pages 372 & 373 in the Office of the Recorder, Allen County, Indiana. Located on the northeast corner of Whitmore Street and Westview Ave.

(Legal Description)

trans 9-18-73 Instr 73-23290
(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Ronald P. Jasper	2750 Brooklyn Ave	Ft. Wayne, Ind
Ronald P. Jasper	2750 Brooklyn Ave	Ft Wayne Ind 46805

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Ron Jasper	2750 Brooklyn Ave., / 46805	432-9425
(Name)	(Address)	(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

The Housing Authority of the City of Fort Wayne, Indiana
CITY-COUNTY BUILDING
SUITE 800
ONE MAIN STREET
FORT WAYNE, IND. 46802
July 22, 1974

The Planning Commission of the
City of Fort Wayne, Indiana
Mr. Jim Kelley, Chairman
City-County Building, Suite 880
One Main Street
Fort Wayne, Indiana 46802

Dear Mr. Kelley:

I understand that the Planning Commission is considering action to change Lots 11, 12 and 13 of Parks Addition from R1 to B3B, and we wish to express our viewpoint on such a change.

The Housing Authority of the City of Fort Wayne has had great difficulty maintaining a healthy residential character for its project known as Brookmill Court, Indiana 3-7, and this petition to change the area bounded on Whitmore Street and Westview Avenue would further complicate that problem. One of the difficulties with the Brookmill Project is that in its original planning, property facing in the east and west directions have no direct access to their front door, and extensive plans and commitments have been made to create proper entrances on the east and west, specifically along Whitmore Street. This commitment involves large expenditures by HUD and substantial commitments by the City through its Revenue Sharing Programs. Planning has begun and initiation for the acquisition of properties directly adjacent to the planned zone change has occurred. A change of the type requested would act to minimize the maintenance of safe, quiet and tranquil conditions at the project.

Many of the children from Brookmill go to school via the Whitmore Street thence up Westview Avenue and creating an additional B3B zone would further diminish the safety of these avenues for the children. In addition, Brookmill is currently planning a Day Care Center which envisions access by the parents bringing the children to this facility, not only to Millbrook Drive but Westview Avenue and Whitmore Streets, and this would be extremely bad for that intended purpose. Finally, Westview Avenue has several residences that are modest though attractive, and have been maintained so by the efforts of the citizens on that street; and, the proposed addition would thwart these efforts to maintain these in the most attractive fashion possible.

For the above stated reasons, the Housing Authority hopes that the Commission, in its wisdom, will reject the request for a change

C from an R1 to B3B.

Yours truly,

THE HOUSING AUTHORITY OF THE
CITY OF FORT WAYNE, INDIANA

Louis G. Petro
Executive Director

LGP/da

RECEIVED
JUL 22 1974
FORT WAYNE CITY
PLAN COMMISSION

Number assigned by Dave Keller's Office: # 3410 Admn. Appr. ✓

3-74-05-45

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of a zoning map amendment ordinance petition initiated by property owners to rezone property located as follows:

Lots # 11, 12 & 13 in Park's Addition, generally located on the northeast corner of Whitmore Street and Westview Avenue.

From "R1" to "R3R"

EFFECT OF PASSAGE Property is presently zoned an "R1" District - One Family Residential. Petitioners are requesting a "R3R" District - General Business.

EFFECT OF NON-PASSAGE Property would remain "R1" - One Family Residential

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) Regulations